

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

FILED

2023 MAR 28 PM 4:47

CLERK, US DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY _____ DEPUTY

UCHECHI AMUNEKE-NZE,
Plaintiff,

v.

KELLY CRAIN; MARK TICER
Defendants.

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1:23 CV 00337 RP

COMPLAINT FOR:

1. INDEPENDENT ACTION IN
EQUITY TO SET ASIDE AND
VACATE JUDGMENT FOR
LACK OF JURISDICTION
2. INDEPENDENT ACTION IN
EQUITY TO SET ASIDE AND
VACATE JUDGMENT FOR
FRAUD UPON THE COURT

ORIGINAL COMPLAINT

Plaintiff, Uchechi Amuneke-Nze states as follows:

I. JURISDICTION AND VENUE

1. This Court has jurisdiction over this action under 28 U.S.C. § 1331(federal question), Federal Rule of Civil Procedure 60(b)(1).
2. Venue is proper in this judicial district under 28 U.S.C. § 1391(b)&(d), because all parties are Texas residents and Defendant KELLY CRAIN has an established place of business with sufficient contacts in the Western District of Texas.

II. PARTIES

3. Plaintiff UCHECHI AMUNEKE- NZE (Esther) is a natural person and resident of the State of Texas.

4. Defendant KELLY CRAIN is a natural person and resident of the State of Texas. Defendant may be served with process at 9020 North Capital of Texas Highway Building I, Suite 170 Austin, TX 78759.

5. Defendant MARK TICER is a natural person and resident of the State of Texas. Defendant may be served with process at 10440 N Central Expy #600, Dallas, TX 75231.

III. FACTS

7. The allegations of the preceding and succeeding paragraphs are incorporated herein by this reference.

8. On February 20,2023 the trial court signed an order granting Defendant's Rule 91a motion to dismiss. The signed order awarded attorney's fee and costs for appeals and supreme court.

9. During to proceedings Ticer and Crain told the judge that two defendants were immune from suit. However Texas rules of Civil procedure completely says the oposite. The trial coourt relied on their misrepresentations while making the judgement

V. DAMAGES

33. As a direct and proximate result of Defendant's acts and omissions, Plaintiffs seek all damages against Defendants to which she is entitled. Plaintiff's damages are increasing and not fully known at this time but greatly exceed \$750,000. Plaintiff's damages include, but are not limited to:

- a. Plaintiff's past and future medical expenses;
- b. Plaintiff's past and future lost wages;
- c. Plaintiff's past and future pain and suffering;
- d. Plaintiff's past and future mental anguish;
- e. Plaintiff's disfigurement;
- f. Damage to Plaintiff's credit; and
- g. Exemplary damages.

VI. JURY DEMAND

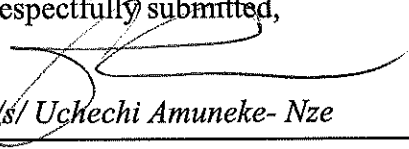
34. Plaintiff hereby demands a trial by jury.

PRAYER

Plaintiff prays that Defendants be cited to appear and answer herein, and that upon final hearing of this cause, Plaintiff have judgment against Defendant granting the following relief:

- a. Recovery of a reasonable monetary award or awards as compensatory damages, in amounts and to the extent to be proven at trial;
- b. Exemplary damages in an amount sufficient to deter future wrongful conduct of this nature;
- c. Prejudgment and post-judgment interest thereon at the maximum rate and earliest date allowed by law;
- d. Plaintiff's costs in the action; and
- e. Such other and further relief to which she may be justly entitled.

Respectfully submitted,



/s/ Uchechi Amuneke- Nze

Uchechi Amuneke Nze
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